

T. Wolf



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Masayuki II et al.

Title: SEVERE SEPSIS PREVENTIVE THERAPEUTIC AGENT

Appl. No.: 10/510,596

International 4/7/2003

Filing Date:

371(c) Date: 8/17/05

Examiner: Shobha KANTAMneni

Art Unit: 1617

Conf. No.: 1802

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

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TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

Each document listed on the attached PTO/SB/08 was cited during the prosecution of the corresponding European or PCT applications. A copy of the Supplementary European Search Report is attached as Document B5 setting forth the portion of each document considered relevant by the examiner.

B1 and B3 are English-language counterparts of foreign-language document WO 01/72993 that was submitted with the Information Disclosure Statement of October 7, 2004. Document B4 is not in English, but an English abstract is found on page 1 of B4 and in Document B7. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP §609).

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

FEE

A credit card payment form in the amount of \$180.00 is enclosed to cover the fee associated with an information disclosure statement under 37 CFR §1.97(c).

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this submission under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741.

Respectfully submitted,

Date October 30, 2009
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